

IN THE UNITED STATES DISTRICT COURT DOC NO
FOR THE WESTERN DISTRICT OF WISCONSIN REC'D/FILED

2018 APR -9 AM 9:51

UNITED STATES OF AMERICA,

Plaintiff,

v.

LEROY BOND, JR.,

Defendant

§
§
§
§
§
§
§
§
§

PETER OPPEHEE
CLERK US DIST CO RT
WD OF WI

CASE NO. 18-cv-212-JDP
(15-cr-01-JDP)

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN that LeRoy Bond, Jr., Defendant in the above named case, appeals from the Order or Judgment entered on March 27, 2018. Denial of Writ of Habeas relief under 28 U.S.C. §2255. This appeal follows a guilty plea. This Honorable Court has jurisdiction pursuant to 28 U.S.C. §1291. This appeal is brought because the named Defendant's above constitutional rights were violated.

RESPECTFULLY SUBMITTED THIS 4 DAY OF APRIL, 2018.



LeRoy Bond, #08880-090
FCC-Petersburg
P. O. Box 1000
Petersburg, VA 23804

CERTIFICATE OF SERVICE

I hereby certify that I caused to be filed the foregoing motion with the Clerk of Courts office via U.S. Mail on this 4 day of April, 2018, by placing it in the institution mailbox, postage prepaid, and a copy has been forwarded to Plaintiff at their address of record.



LeRoy Bond

To Whom it May Concern:

Leroy bond Jr is my friend and has been for many years. He was like my brother and my kids uncle. I'm not sure what happened but life went cloudy for him and he made some huge mistakes. No I wouldn't leave him alone with my kids anymore but do I still care about him. Yes, I do very much. And I forgave him for what he's done and so has my daughter.

Yes I think he should get prison time for his actions but I wouldn't say 30 years. He would learn his lesson after his first year. This did not affect my daughter at all as she knew nothing about it because she was asleep.

Thank you for your time.

Brenda Visger

Eastern and Western Districts of Wisconsin

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Case Information

SEX OFFENSES - Sexual Abuse of Children

MADISON

Case ID: 9076645

WIW-MA-2015-00025

Case Type	Case Numbers	Case Team
District: WIE_WIW	Mag Dkt #: 14-MJ-141	Attorney
Branch: MA	Dist Ct #: 15-CR-01-JDP	Bugni, Joseph
FY: 2015	Civil #:	
Case Type: CR	Appeal #:	
Sub Type: CR6110	Info #:	
Severity: 839	Assist #:	
Level: Felony	Priority: 3.49	Bail
<input type="checkbox"/> Gov. Appeal	Rule: <input type="checkbox"/> 5 <input type="checkbox"/> 20 <input type="checkbox"/> 21	Bail Status:
		Amount:

Opening	Sentencing	Additional Sentencing Information
Opened: 11/24/2014	USAG Death Penalty	
Appointed: 11/24/2014	<input type="checkbox"/> Approved	
	<input type="checkbox"/> Denied	
Closing		
Closed: 07/07/2015		
Closed #: 2015-00233		
Stats		
Counts #: 1 of 1		
Client #: 1 of 1		

Case Flags:

Client Information

Mr. Leroy E. Bond

Name	Contact Information	<input checked="" type="radio"/> Standard <input type="radio"/> Non-Standard
Title: Mr.	Home: . .	Line 1:
First: Leroy	Work: . .	Line 2:
Middle: E.	Mobile: . .	CSZ: -
Last: Bond	Other: . .	Email:
Suffix:	POC: . .	POC Name:

Alias / AKA	Place of Birth	Gender	Ethnicity
		Male	

Identity
DOB / Age: 02/27/1973 45 INS A-File: USM: - Ref:
SSN: 396-76-1491 SID: FBI:

**Eastern and Western Districts of Wisconsin
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Charges

#	Cnt	Offense	Title / Section	Drug Category	DIS	DE	Updated
1)	1	08/16/2014	18:2251.F: SEXUAL EXPLOITATION OF CHILDREN		<input type="checkbox"/>	<input type="checkbox"/>	11/24/2014 10:33 am

Schedule Information



Description	Date/Time	Duration	Participant
SENTENCING	06/30/2015 11:00 AM	0.50 hrs	Bugni, Joseph
Subject: <input type="text"/>		<input type="checkbox"/> All Day Event	<input type="checkbox"/> Reminder
TELEPHONE CONFERENCE	06/26/2015 11:00 AM	0.30 hrs	Bugni, Joseph
Subject: (608) 355-3492		<input type="checkbox"/> All Day Event	<input type="checkbox"/> Reminder
TELEPHONE CONFERENCE	05/06/2015 03:00 PM	0.30 hrs	Bugni, Joseph
Subject: (608) 355-3492		<input type="checkbox"/> All Day Event	<input type="checkbox"/> Reminder
PSR OBJS DUE	03/27/2015 08:00 AM	0.50 days	Moyers, Peter
Subject: <input type="text"/>		<input checked="" type="checkbox"/> All Day Event	<input type="checkbox"/> Reminder
TELEPHONE CONFERENCE	03/25/2015 09:30 AM		Bugni, Joseph
Subject: (608) 355-3492		<input type="checkbox"/> All Day Event	<input type="checkbox"/> Reminder
TELEPHONE CONFERENCE	03/19/2015 09:30 AM	0.50 hrs	Bugni, Joseph
Subject: <input type="text"/>		<input type="checkbox"/> All Day Event	<input type="checkbox"/> Reminder
PSR DUE	03/13/2015 08:00 AM	0.50 days	Moyers, Peter
Subject: <input type="text"/>		<input checked="" type="checkbox"/> All Day Event	<input type="checkbox"/> Reminder
TELEPHONE CONFERENCE	02/20/2015 01:30 PM	0.50 hrs	Bugni, Joseph
Subject: <input type="text"/>		<input type="checkbox"/> All Day Event	<input type="checkbox"/> Reminder
TELEPHONE CONFERENCE	02/19/2015 03:30 PM	0.50 hrs	Bugni, Joseph
Subject: <input type="text"/>		<input type="checkbox"/> All Day Event	<input type="checkbox"/> Reminder
PLEA	01/30/2015 02:00 PM	0.50 hrs	Bugni, Joseph
Subject: <input type="text"/>		<input type="checkbox"/> All Day Event	<input type="checkbox"/> Reminder
ARRAIGNMENT	12/11/2014 02:30 PM	0.50 hrs	Bugni, Joseph
Subject: <input type="text"/>		<input type="checkbox"/> All Day Event	<input type="checkbox"/> Reminder
INITIAL APPEARANCE	11/24/2014 02:00 PM	0.50 hrs	Bugni, Joseph
Subject: <input type="text"/>		<input type="checkbox"/> All Day Event	<input type="checkbox"/> Reminder

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Related People

Role	Name			Updated
 Court				
JUDGE	Mr.	Stephen	Crocker	11/24/2014 10:33 am
AUSA	Mrs.	Elizabeth	Altman	12/05/2014 01:30 pm
 Non-Court				
FAMILY	Ms.	Denise	Henry	01/26/2015 02:10 pm

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Closing Information

Closed

Disposition

07/07/2015

Closed Case #

Storage Location

2015-00233

BANKER BOX #142

00/00/0000

Sentence

Incarceration Facility

Additional Sentencing Information

Additional Closing Information

life yrs mths days

Incarceration:

☐

Supervision

Supervised release:

☐

☐ With

☐ Without

Probation:

☐

Home Confinement:

☐

Community Corrections:

(Halfway House confinement)

Community service: hours

Restitution:

Fine:

Special Assessment:

Processing Fee:

☐ Waived ☐ Remitted

☐ Waived ☐ Remitted

☐ Waived ☐ Remitted

☐ Waived ☐ Remitted

Variance or Departure: ☐ None

☐ Up

☐ Down

☐ Pretrial diversion referral

Appointed: 11/24/2014

☐ Misdemeanor only charged

Entry of Judgment/Final Order: 06/30/2015

☐ Reduced to misdemeanor

Open to Judgment/Final Order: 7.0 months

☐ Plead to lesser charge

☐ Case sealed

Notes

Source	Updated	Task	Note
Case Notes	01/05/2015 11:12 AM Jessica Westphal	<input type="checkbox"/> WIWMA201500025	Today we received Leroy Bond's additional discovery (Discovery Discs 129-137) that contain audio/visual, from the AUSA. The discs, except for Discovery Disc 129 which I was unable to save, have been saved to the network in Leroy's discovery file.

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Notes			
Source	Updated	Task	Note
Case Notes	12/22/2014 01:29 PM Jessica Westphal	<input type="checkbox"/>	WIWMA201500025 Today we received Leroy Bond's additional discovery (Batches 1-4) on paper from the Wisconsin State Public Defender Fredric Anderson. The discovery has been scanned and saved onto the network in Leroy's Discovery file as Discovery-Batches 1-4. Nothing was mailed to the client.
	12/10/2014 02:25 PM Jessica Westphal	<input type="checkbox"/>	WIWMA201500025 Today we received Leroy Bond's discovery (pages 1-127) on disc along with Discovery Item disc 128 which contains interview videos, from the AUSA. The discovery and disc have been uploaded onto the computer and saved on the network in Leroy's discovery file. Nothing was mailed to the client.
Schedule Notes	06/25/2015 02:21 PM Jessica Westphal	<input type="checkbox"/>	<u>TELEPHONE CONFERENCE 06/26/2015 4:00PM</u> Call in: (608) 355-3492
	05/05/2015 08:26 AM Jessica Westphal	<input type="checkbox"/>	<u>TELEPHONE CONFERENCE 05/06/2015 8:00PM</u> Call in: (608) 355-3492
	03/24/2015 10:58 AM Jessica Westphal	<input type="checkbox"/>	<u>TELEPHONE CONFERENCE 03/25/2015 2:30PM</u> Call in: (608) 355-3492
Time Entry Notes	03/19/2018 01:29 PM Joseph Bugni	<input checked="" type="checkbox"/>	<u>CLIENT 03/19/2018 12:00AM</u> Dear Leroy, I hope that this finds you well. I am glad that you got all the records I sent, and I hope they are helpful. As far as the appeal goes, I think that we remember things differently. I have attached some of the notes from our online records system that I have. In it, I have recorded that you did not want to appeal. It was right after sentencing. If you had changed your mind, I would have filed one—believe me. You might have it confused with Fritz and the state case, but with the federal you didn't want to appeal. I am sorry.
	02/26/2018 04:07 PM Joseph Bugni	<input checked="" type="checkbox"/>	<u>CLIENT 02/26/2018 12:00AM</u> cindy, this is not important. But sometime, print Leroy's file (all filed documents) and all discovery and send it to him. Also, please send him the court reporter's information so he can order a transcript of his plea and sentencing. And add this letter. Dear Leroy, It was good talking with you. Everything that we have, you now have. And here is the court reporter's information. I wish you all the luck in the world getting your sentencing reduced. Sincerely,

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Notes			
Source	Updated	Task	Note
Time Entry Notes	02/26/2018 04:05 PM Joseph Bugni	<input type="checkbox"/>	<u>CLIENT 02/26/2018 12:00AM</u> took his call and he wants his file
	02/14/2018 11:44 AM Joseph Bugni	<input checked="" type="checkbox"/>	<u>CLIENT 02/14/2018 12:00AM</u> cindy, please put this in a letter to him and print for him his plea agreement, his waiver, his letters in support, and docets 38-41. Dear Leroy, I am sorry I missed your call but thanks for leaving the message. I think that this is everything that you mentioned in the letter. I hope that it helps. And I hope that all is well with the family and that you're safe. Let me know if you need anything else. Sincerely,
	02/01/2018 04:19 PM Joseph Bugni	<input checked="" type="checkbox"/>	<u>CLIENT 02/01/2018 12:00AM</u> Cindy, Please send him his docet sheet. I think he's at a new prison. And send this letter, you can sign it. Dear LeRoy, It was good to hear your voice. You sound good, and I wish I could have talked with you. I was working on a brief and told them to hold my calls. But please call back so I can hear how you're doing and how the kids are. Until then, the docket sheet is enclosed. Let me know if you need anything else. Sincerely,
	11/05/2015 09:12 AM Joseph Bugni	<input checked="" type="checkbox"/>	<u>COMM01 11/05/2015 12:00AM</u> Cindy, Please put this into a letter to Leroy. He has been moved to hazelton, vv Dear Leroy, It was good chatting you up. The incident that you want overturned is from 5/31/2007, docket number 07CM412. Once you get the reports the people that can help you are at the Remington Center in Madison, [cindy put in address, please]. They have a wrongful conviction clinic and can help. Whether they will or not is up to them. And, Leroy, please know that whatever you need I will try and do. Sincerely,
	11/05/2015 09:09 AM Joseph Bugni	<input type="checkbox"/>	<u>COMM01 11/05/2015 12:00AM</u> talked to him about his case and his problems.

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Notes			
Source	Updated	Task	Note
Time Entry Notes	08/07/2015 11:37 AM Jessica Westphal	<input checked="" type="checkbox"/>	<u>COMM01 08/06/2015 12:00AM</u> jess, he's at the usp terre haute, please send this to him Dear Leroy, Your mom told me where you were placed. You need to check in to protective custody, just stay there and wait to be transfered. Above all, you have to be safe. Stay safe. You didn't go to Superior because the prosecutor there dropped the ball and failed to do the proper paperwork. You will be brought back there soon. Until then, stay safe and go into protective custody. Sincerely,
	07/08/2015 11:26 AM Joseph Bugni	<input type="checkbox"/>	<u>COMM03 07/07/2015 12:00AM</u> letters to others and to fritz.
	07/02/2015 04:01 PM Joseph Bugni	<input type="checkbox"/>	<u>COMM03 07/02/2015 12:00AM</u> emailed about the j&c for bond and getting him to a somp
	07/01/2015 09:34 AM Joseph Bugni	<input type="checkbox"/>	<u>ATTY20 06/30/2015 12:00AM</u> long, hard sentencing. client does not want to appeal. this hurts.
	06/30/2015 07:39 AM Joseph Bugni	<input type="checkbox"/>	<u>ATTY19 06/29/2015 12:00AM</u> just geting ready.
	06/29/2015 03:26 PM Joseph Bugni	<input type="checkbox"/>	<u>ATTY19 06/26/2015 12:00AM</u> drafted and filed sentencing memo
	06/29/2015 02:37 PM Joseph Bugni	<input type="checkbox"/>	<u>ATTY19 06/24/2015 12:00AM</u> drafting sentencing memo and handling business with discussing it with everyone.
	06/29/2015 02:36 PM Joseph Bugni	<input type="checkbox"/>	<u>ATTY19 06/23/2015 12:00AM</u> drafting sentencing memo
	06/29/2015 10:25 AM Joseph Bugni	<input type="checkbox"/>	<u>COMM03 06/10/2015 12:00AM</u> email with beth

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Notes			
Source	Updated	Task	Note
Time Entry Notes	06/29/2015 09:43 AM Joseph Bugni	<input checked="" type="checkbox"/>	<u>ATTY18 06/08/2015 12:00AM</u> CINDY, In his sentencing folder there is a letter to the court and a letter in support of him. Can you please format the one to JDP and file it with the other one as an attachment. Finally, please file the letter in support under seal. thanks, jab
	06/15/2015 05:54 PM Joseph Bugni	<input type="checkbox"/>	<u>ATTY15 06/15/2015 12:00AM</u> reviewed video with rauh editing
	05/28/2015 02:39 PM Kelly Welsh	<input type="checkbox"/>	<u>ATTY19 05/28/2015 12:00AM</u> staff brainstorming re: sentencing
	05/28/2015 02:04 PM Joseph Bugni	<input type="checkbox"/>	<u>ATTY19 05/28/2015 12:00AM</u> lunch meeting about the case.
	05/06/2015 04:19 PM Joseph Bugni	<input checked="" type="checkbox"/>	<u>ATTY19 05/06/2015 12:00AM</u> Cindy, we got some more records from essentia but none that are recent. There should be some from 2013-14. Can you give them one last call and see if they have anything more for us. thanks, jab
	05/06/2015 02:11 PM Joseph Bugni	<input checked="" type="checkbox"/>	<u>ATTY19 05/06/2015 12:00AM</u> cindy, also, low priority but leroy bond's release for dane county jail is in your box. send it off when you can. jab
	05/05/2015 08:27 AM Jessica Westphal	<input checked="" type="checkbox"/>	<u>COMM02 05/05/2015 12:00AM</u> jess, can you set up a call with leroy bond for tomorrow at 3. jab
	05/05/2015 08:17 AM Joseph Bugni	<input type="checkbox"/>	<u>ATTY19 05/05/2015 12:00AM</u> emailed with yackovich.

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Notes			
Source	Updated	Task	Note
Time Entry Notes	04/24/2015 08:33 AM Joseph Bugni	<input checked="" type="checkbox"/>	<u>COMM01 04/24/2015 12:00AM</u> Cindy, Please put this into a letter to Leroy Bond and send him two medical releases one for dane county jail and one for Saulk. Dear Leroy, I got your letter dated April 22, and I am so sorry you're having these side effects. I will get you everything that I can and do everything that I can. But before I can do anything you have to sign these releases and send them back. I am in trial next week, so it won't be until the first week in May that I can get anything done. Until then, stay calm and just don't do anything rash or dumb. You have a lot to live for and your kids need you. They need you to finish your invention and get rich. Sincerely,
	03/30/2015 09:53 AM Jessica Westphal	<input checked="" type="checkbox"/>	<u>ATTY19 03/30/2015 12:00AM</u> Jessica, Can you fill out an expense request for a sex evaluation for the same guy that we used for Matt Phillips, same hours and cost. and in the explanation put: I took this case early in my time here and I hoped to leave behind getting everyone an evaluation. I never had one in Milwaukee. The PSR just came back and his guidelines are 360-life and it's bad. The first victim is a 15 yearold who he slept with and took pictures of. No problem there. But the other two are 9 yearolds that he babysat for and took pictures of in their sleep. Creepy. The driving point at sentencing will be his risk to the community, so this isn't really prophelactic covering my ass so we don't need a sentencing memo, but this is legit.
	03/26/2015 09:27 AM Joseph Bugni	<input type="checkbox"/>	<u>ATTY18 03/25/2015 12:00AM</u> went over psr
	03/24/2015 11:16 AM Jessica Westphal	<input checked="" type="checkbox"/>	<u>COMM02 03/24/2015 12:00AM</u> Jessica, Can you please set up a call for me with LeRoy for tomorrow at 11. Thanks, jab
	03/19/2015 09:44 AM Joseph Bugni	<input type="checkbox"/>	<u>ATTY18 03/19/2015 12:00AM</u> Alley mom's name is Brenda. Della is D.S.

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Notes			
Source	Updated	Task	Note
Time Entry Notes	03/06/2015 02:48 PM Jessica Westphal	<input checked="" type="checkbox"/>	<u>COMM02 03/06/2015 12:00AM</u> Jessica, Please put this into a letter for Leroy Bond Dear Leroy, I hope that you're well. My intern had some extra time, so I had her get these for you. Enjoy. Sincerely,
	03/02/2015 08:36 AM Joseph Bugni	<input type="checkbox"/>	<u>ATTY17 02/20/2015 12:00AM</u> did second round of psr
	03/02/2015 08:23 AM Joseph Bugni	<input type="checkbox"/>	<u>ATTY21 02/19/2015 12:00AM</u> talked with bond about sentencing and the second phase of the psr
	02/18/2015 03:28 PM Joseph Bugni	<input checked="" type="checkbox"/>	<u>ATTY19 02/18/2015 12:00AM</u> cindy, in bond's correspondence file there is a letter marked sentencing and dated today. can you please format it for me, sign my name, and make 25 copies. Jessica has the letter that goes with it for Denise Henry. That is Leroy's mom. thanks, jab
	01/28/2015 03:09 PM Joseph Bugni	<input type="checkbox"/>	<u>COMM03 01/28/2015 12:00AM</u> called and mom and to set up psi.
	01/08/2015 03:01 PM Jessica Westphal	<input checked="" type="checkbox"/>	<u>COMM02 01/08/2015 12:00AM</u> Jessica, Can you put this in a letter to Bond. Dear Leroy, Your court hearing will be on January 30. You got a very good and fair judge for your case, Judge Peterson. I am optimistic. Also, your mom wrote me about the stuff in pawn. Whatever you need me to do to help you, I will. So get the letter that you need and I will take care of it. Write me and let me know. Sincerely,
	01/06/2015 09:26 AM Joseph Bugni	<input type="checkbox"/>	<u>COMM03 01/06/2015 12:00AM</u> email about plea agreement

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Notes			
Source	Updated	Task	Note
Time Entry Notes	01/05/2015 03:19 PM Joseph Bugni	<input type="checkbox"/>	<u>ATTY11 01/05/2015 12:00AM</u> went over plea, possible guidelines, and why to raise appellate waiver. got plea signed, sent to court.
	01/05/2015 12:30 PM Kelly Welsh	<input type="checkbox"/>	<u>ATTY11 01/05/2015 12:00AM</u> meeting with JAB re: plea agreement
	01/02/2015 02:11 PM Joseph Bugni	<input checked="" type="checkbox"/>	<u>COMM02 01/02/2015 12:00AM</u> Cindy, I got the releases for Bond's mental health records, it is scanned into his correspondence folder. please send that off and so we can get the stuff. Also, please format this into a letter and I will get you an enclosure. Dear Leroy, I hope that this finds you well. I got the release and I will get the information soon. I have more questions for you, though. First, I understand the divorce was painful, that is evident from your letter. I am very sorry. But I need to know more about your life than what you provided. Why did you leave school; where were you working before this happened; what are all the places and jobs that you've had; what was your relationship like with your parents and the rest of your family. Write back and let me know about those things. Also, start reading the enclosed articles and working on the exercises—use this time to be at good use. Sincerely,
	12/31/2014 03:04 PM Joseph Bugni	<input type="checkbox"/>	<u>ATTY11 12/30/2014 12:00AM</u> went to jail and met with leroy told him 15 minimum.
	12/31/2014 03:04 PM Joseph Bugni	<input type="checkbox"/>	<u>ATTY11 12/30/2014 12:00AM</u> met with beth altman and saw the cp. looks like all three are closeups of the pubic region, which is naked. the 9 yearolds is the most troubling. talked to leroy and he understadns that the hammer is coming on this.
	12/29/2014 04:17 PM Joseph Bugni	<input type="checkbox"/>	<u>COMM03 12/22/2014 12:00AM</u> ran into ethical issue with zwicker. spoke with albee and stiller about it. need more research to find proper path.
	12/15/2014 11:46 AM Joseph Bugni	<input type="checkbox"/>	<u>ATTY06 12/11/2014 12:00AM</u> met with him and talked about the case and his mental health issues.

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Notes				
Source	Updated	Task	Note	
Time Entry Notes	12/05/2014 12:27 PM	<input checked="" type="checkbox"/>	ATTY11	12/05/2014 12:00AM
	Jessica Westphal		<p>jessica, in his draft pleadings folder there is a letter to the judge crocker. can you please format it and put a copy in my box.</p> <p>thanks,</p> <p>jab</p>	
	12/04/2014 05:19 PM	<input type="checkbox"/>	ATTY11	12/03/2014 12:00AM
	Joseph Bugni		talk with fritz anderson about charges and plea	
	11/25/2014 04:53 PM	<input type="checkbox"/>	ATTY08	11/25/2014 12:00AM
	Joseph Bugni		met with client talked about potential defenses.	